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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/641,769

08/14/2003

Haimian Cai

10541-1781

2806

57444

7590

07/18/2006

AUTOMOTIVE COMPONENTS HOLDINGS LLC  
C/O MACMILLAN, SOBANSKI & TODD, LLC  
ONE MARITIME PLAZA, FIFTH FLOOR  
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TOLEDO, OH 43604-1853

EXAMINER

DUNN, DAVID R

ART UNIT

PAPER NUMBER

3616

DATE MAILED: 07/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/641,769	<b>Applicant(s)</b> CAI ET AL.	
	<b>Examiner</b> David Dunn	<b>Art Unit</b> 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 2,3,5,8-13,16,17,19,20,28 and 29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4,6,7,14,15,18 and 21-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 8, 2006 has been entered.

### *Election/Restrictions*

2. Claims 2, 3, 5, 8-13, 16, 17, and 19 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on November 29, 2005.

3. Claim 20 was withdrawn as being directed to a non-elected species in the Office Action of 4/21/2006.

4. Newly added claims 28 and 29 are directed to the non-elected species of Figure 4, and therefor are hereby withdrawn from further consideration by the examiner.

### *Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 4, and 21-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Barry (US 6,851,688).

Barry discloses a vehicle comprising: a body (42; see Figure 4) being formed with a cylindrical outer surface; and an end link (22) secured to a second end (42b) of the body, the end link having a bore including a concave inner support surface; and a spherical bearing (36) formed from material other than the first material of the body, including a convex spherical outer surface, and a cylindrical opening extending through the bearing, the cylindrical outer surface of the body being located in the opening and secured to the end link. The end link is secured to the body by a device (48) that frictionally engages an outer surface of the body.

### *Claim Rejections - 35 USC § 103*

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hynds et al. (US 5,186,486) in view of Kluting (US 5,501,421).

Hynds et al. discloses a stabilizer bar comprising: a body (10; Figure 1); and end link (22); and a spherical bearing (see 54; Figure 3).

Hynds et al. fails to show the link having a concave inner support and the bearing having a convex outer surface.

Kluting teaches a vehicle bar support comprising a spherical bearing (5) having a convex outer surface and a link (1) having a concave inner support surface (on 7); the bearing being located on a body.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hynds et al. with the teachings of Kluting to provide the a curved bearing surface in order to provide a connection with additionally flexibility that could better withstand various rotational forces.

9. Claims 4, 6, 7, and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hynds et al. and Kluting, and further in view of Joerg et al. (US 6,257,602).

The combination of Hynds et al. and Kluting is discussed but fails to show a lock washer.

Joerg et al. teaches a lock washer (4) used to frictionally engage the outer surface of a body.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Hynds et al. and Kluting with the teachings of Joerg et al. to provide a lock washer on the stabilizer body between the end link and the end of the stabilizer bar to securely fasten the end link to the bar.

10. Claims 14, 15 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hynds et al. and Kluting, and further in view of Hynds (5,064,216).

The combination of Hynds et al. and Kluting is discussed above but fails to show the bearing by a polymeric material.

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Hynds discloses a stabilizer bar and end link (10) with a spherical bearing (24), the bearing being formed of a polymeric material (see column 2, lines 41-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Hynds et al. and Kluting with the teachings of Hynds to provide the bearing of a polymeric material in order to provide an old and well known, light-weight and durable material.

11. Claims 14, 15 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barry in view of Hynds (5,064,216).

Barry is discussed above but fails to show the bearing by a polymeric material.

Hynds discloses a stabilizer bar and end link (10) with a spherical bearing (24), the bearing being formed of a polymeric material (see column 2, lines 41-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Barry with the teachings of Hynds to provide the bearing of a polymeric material in order to provide an old and well known, light-weight and durable material.

12. Claims 18 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hynds et al. in view of Kluting, and further in view of Wolf et al. (US 6,363,613).

The combination of Hynds et al. and Kluting is discussed above but fails to show the bearing secured with an adhesive.

Wolf et al. teaches a stabilizer bar (13) with a bearing (9) secured to the bar with an adhesive (12).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Hynds et al. and Kluting with the teachings of Wolf et al. to provide an adhesive to better secure the bearing to the stabilizer bar.

### ***Response to Arguments***

13. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.


### ***Conclusion***

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Dunn whose telephone number is 571-272-6670. The examiner can normally be reached on Mon-Fri, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



David Dunn  
Primary Examiner  
Art Unit 3616